



PATENT

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January 14, 2004
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/618,090 Confirmation No. : 3808
Applicants : Mark A. Moehring, Joseph H. Farnsworth, Ajay Philip Zachariah and
Henry James Baron, Jr.
Filed : July 10, 2003 Attorney Docket No.: 33354
Art Unit : 3737 Customer No. : 27,076
Examiner : Not Yet Assigned
Title : DOPPLER ULTRASOUND METHOD AND APPARATUS FOR MONITORING
BLOOD FLOW AND HEMODYNAMICS

PETITION TO ACCEPT COLOR DRAWINGS OR PHOTOGRAPHS
UNDER 37 C.F.R. § 1.84(a)(2) and (b)(2)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the enclosed photographs be accepted as formal drawings with respect to the above-identified application. Attached hereto are three (3) sets of color photographs, Figures 4A and 4B, developed on double weight photographic paper, and one set of black and white photocopy that accurately depicts, to the extent possible, the subject matter shown in the color drawings.

Please amend the specification, by inserting the following language as the first paragraph of the specification beginning a brief description of the drawings or photographs (page 5, between lines 12 and 13):

- - The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of necessary fee. - -

The reason for the need for color drawings or photographs in this application is as follows:

Both the applicants and the assignee have indicated that only in color do Figures 4A and 4B properly present the desired information. As indicated in the specification, color may be used in embodiments of the present invention to represent blood flow detected by the system. Additionally, the intensity of the color within the color regions of Figures 4A and 4B also may be used to convey additional information concerning the detected blood flow. The use of color and color intensity as described are recited in claims directed to various embodiments of the present invention. For those embodiments, these elements cannot be conveyed by the use of black and white photos or drawings. Thus, the use of color in Figures 4A and 4B is necessary to disclose claimed subject matter of embodiments of the present invention.

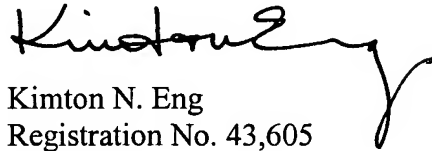
As required by 37 C.F.R. § 1.84 (37 C.F.R. § 1.17(h)), applicants have enclosed herewith a check in the amount of \$750, which amount includes the petition fee of \$130.

Enclosed are 10 sheets of formal drawings, Figures 1A-12, including three sets of color photographs, Figures 4A and 4B, developed on double weight photographic paper, for filing in the above-identified patent application.

The Commissioner is authorized to charge payment of any fees under 37 C.F.R. §1.17(i) associated with this communication or credit any overpayment to Deposit Account No. 50-1266. This request is being submitted in duplicate.

Respectfully submitted,

DORSEY & WHITNEY LLP


Kimton N. Eng
Registration No. 43,605

KNE:ajs

Enclosures:

- Postcard
- Check
- Fee Transmittal Sheet (+ copy)
- Copy of this Petition
- One Set of Formal Drawings (Figures 1A-12), including
Three Sets of Color Photographs (Figures 4A and 4B)

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